

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JAN 30 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JAN 30 2004

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The applicant **D W H, Inc.** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

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1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.02 AFA, .4040 AC, .0028 CFS** second-feet
  - (a) If stored in reservoir give number of acre-feet --
3. The water to be used for **Commercial Use**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated --
  - (b) Stockwater, state number and kinds of animals to be watered --
  - (c) Other use (describe fully under No. 12. "Remarks") **Tree Nursery (see #12)**
  - (d) Power:
    - (1) Horsepower developed --
    - (2) Point of return of water to stream --
5. The water is to be diverted from its source at the following point **within the SW<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of Section 6, T.20S., R.53E., M.D.M., Nye County, Nevada from which the SE corner of said Section 6 bears S 68°14'29" E a distance of 2401.85 feet**
6. Place of Use **3.296 AC within the S<sup>1</sup>/<sub>2</sub> of the NW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of Section 6, T.20S., R.53E., M.D.M., Nye County, Nevada as shown on accompanying map for this Application. Being a portion of APN 36-011-18 and 36-011-19**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **existing underground well, submersable pump, presure tank and prop.'d syetem consisting of pipes and drip system.**
9. Estimated cost of works **\$10,000**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **The proposed commercial use of this water system is a Wholesale Nursery consisting of 1-320 S.F. green house, 1-1800 S.F. cold frame for potted plants, 1 AC planted trees and scrubs, existing out buildings for equipment and material storage and 1-1074 S.F. residence – see attached fixture unit sheet for detail daily use.**

By **Ronnie M. Phillips, (Agent)**  
s/Ronnie M. Phillips  
1191 W. Betty Ave.  
Pahrump, Nevada 89060

Compared cmf/sam dl/gkl

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Permit 70854 is granted to provide water service to two lots described as Nye County Assessor's Parcel Numbers (APNs) 36-011-18 and 36-011-19.

Upon cessation of pumping for commercial purposes at this place of use, water under this permit shall return to the source and no application to change or relinquishment will be allowed.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.404 cubic feet per second, and not to exceed 2.02 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 10, 2007

Proof of completion of work shall be filed on or before:

July 10, 2007

Water must be placed to beneficial use on or before:

June 10, 2010

Proof of the application of water to beneficial use shall be filed on or before:

July 10, 2010

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of June, A.D. 2005

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_ N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_